

IN THE SENATE OF THE UNITED STATES.

APRIL 13, 1860.—Ordered to be printed.

Mr. FOOT made the following

REPORT.

[To accompany bill S. 406.]

The Committee on Claims, to whom was referred the memorial of Captain John B. Montgomery, of the United States navy, praying to be released from his liability for an unpaid balance of public money intrusted to him for recruiting purposes, and lost by the failure of the bank in which it was deposited, having had the same under consideration, adopt as their present report, the report made by this committee at the last Congress, through the Hon. Mr. Mallory, as setting forth an accurate statement of the facts upon which the claim to relief is based:

In 1841, Captain Montgomery was ordered to take charge of the recruiting service at Boston. This service involved the disbursement of public money, which was placed in his hands for that purpose. This money he, in common with other disbursing officers in that vicinity, kept on deposit in the Phoenix Bank, then regarded as a safe and reliable bank, equally by the public officers and the mercantile community. In October, 1842, the bank suddenly failed, at which time Captain Montgomery's deposits amounted to \$687 95, as appears from the official statement of the receivers of the bank assets. Of this sum, \$596 10 have since been paid in dividends out of the assets of the bank, and Captain Montgomery now asks that the balance of \$91 85 may be passed to his credit on the books of the treasury. Acts of Congress have been passed for the relief of Pursers Wilson and Taylor, whose funds were deposited in the same institution and lost at the same time.—(See U. S. Statutes at Large, vol. 9, page 717, and vol. 10, page 847.)

The committee think the same measure of relief should be extended to Captain Montgomery, and report a bill accordingly.

